THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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WRIT PETITION No.19751 OF 2005

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Dt: 16.09.2005

Between:

P.V.V. Subba Rao

.. Petitioner

AND

The Manager (OPS), Visakhapatnam Port Trust,

Visakhapatnam & 2 others.

.. Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.19751 OF 2005

ORDER:

The petitioner is a Diploma holder in Electrical and Electronics from the Government Polytechnic. He has undergone Apprenticeship training with the Visakhapatnam Port Trust for a period about one year. The respondents issued an Employment Notice, dated 26.04.2005, to fill 17 vacancies of Operator Grade-II. The grievance of the petitioner is that he is not being considered for that post on the ground that he is

over aged. He contends that the period for which he has undergone Apprenticeship training needs to be taken into account and that the respondents themselves have relaxed the age limit in several cases.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents.

Even on his own showing, the petitioner is over aged by one year nine months. It is true that the Supreme Court, in ***U.P. STATE ROAD TRANSPORT CORPORATION AND ANOTHER V. U.P. PARIVAHAN NIGAM SHISHUKHS BEROZGAR SANGH AND OTHERS*** held that in the matter of determining the qualification as to age, the period of Apprenticeship undergone by a candidate needs to be taken into account. However, if that benefit is also conferred on the petitioner, he will be over aged by about nine months. Therefore, this Court cannot give any positive direction to the respondents to consider the case of the petitioner. It is however made it clear that in case the respondents are entertaining the claims of any persons, who have crossed the age limit, the case of the petitioner shall also be considered.

The writ petition is accordingly, disposed of. There shall be no order as to costs.

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16.09.2005

Note:- Issue CC in two days.

B/o.

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